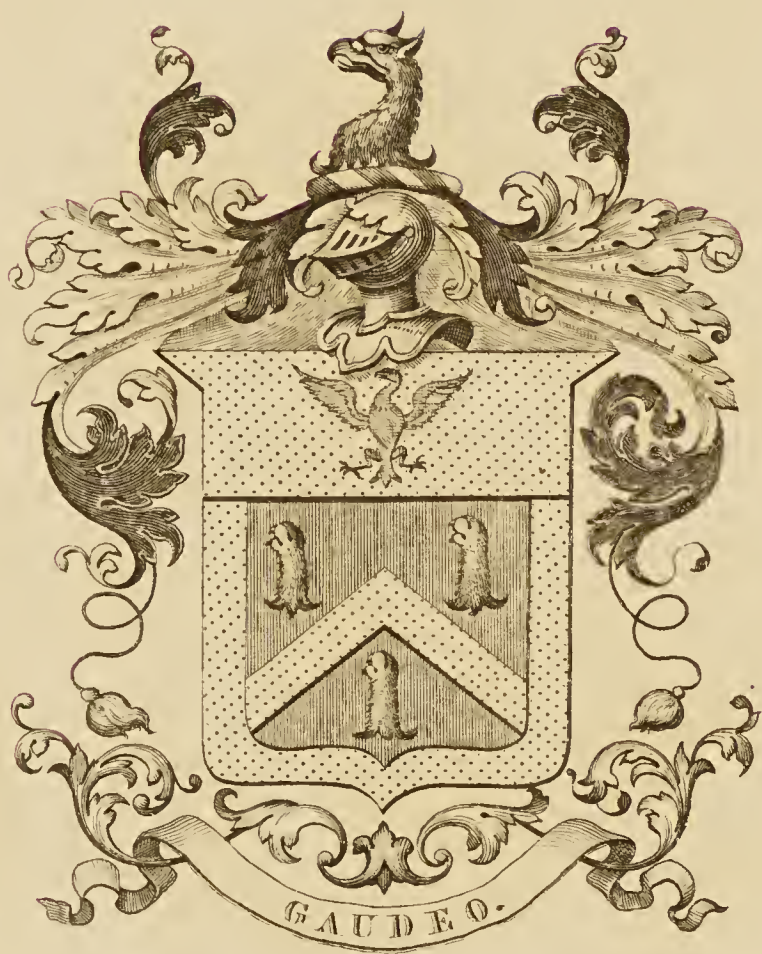
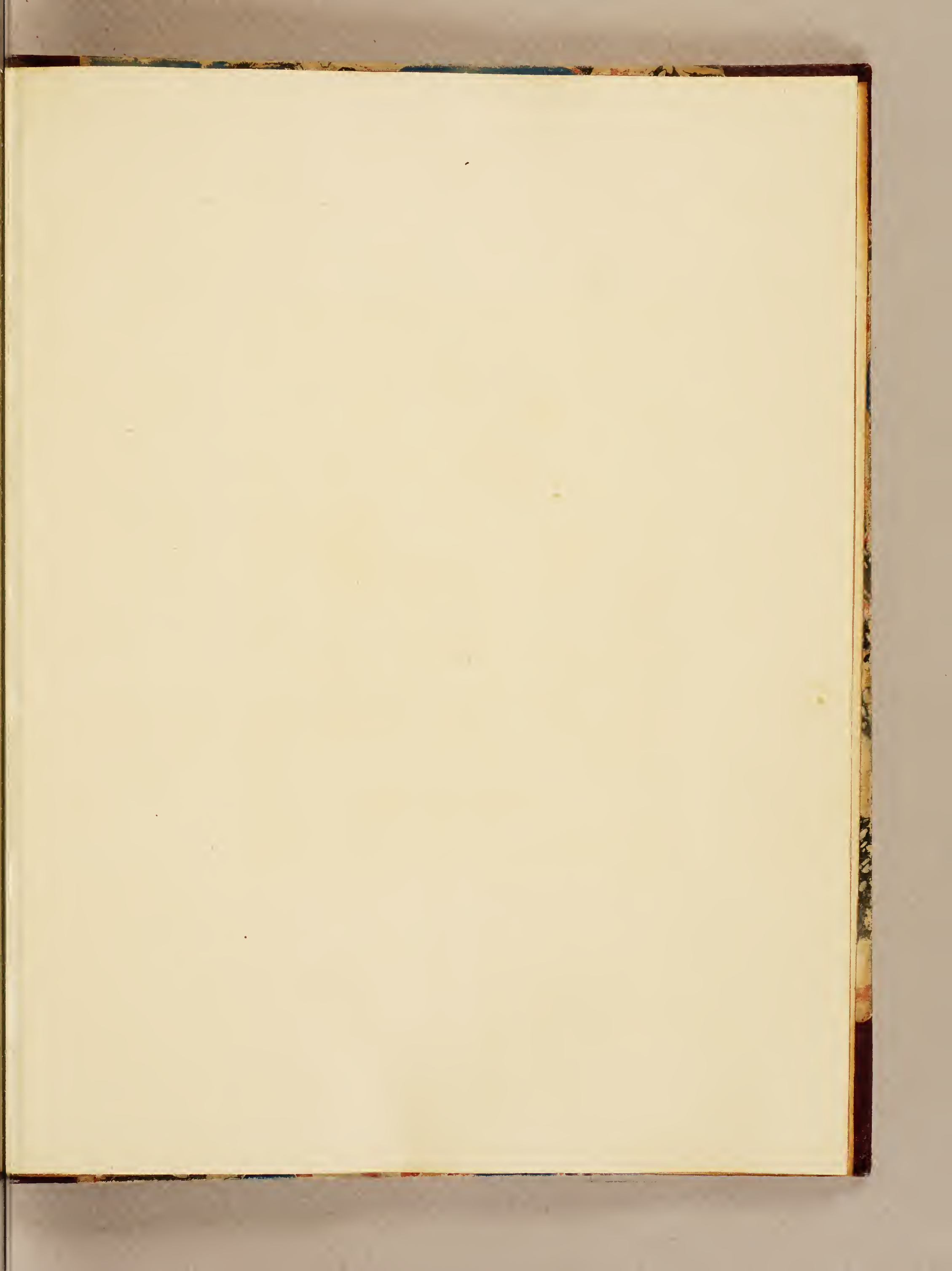


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AN
ORATION,
IN
COMMEMORATION
OF THE
FOUNDERS
OF
WILLIAM AND MARY COLLEGE,
DELIVERED ON THE ANNIVERSARY
OF ITS
FOUNDATION,

AUGUST 15, 1772.

BY J. MADISON, STUDENT.

WILLIAMSBURG:

Printed by WILLIAM RIND,
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TO THE REVEREND
Mr. SAMUEL HENLEY,

PROFESSOR of MORAL PHILOSOPHY,

This ORATION is most respectfully inscribed, by his

Much Obligated,

Humble Servant,

J. MADISON.

V
R

JOHN CARTER BROWN

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MR. PRESIDENT, GENTLEMEN of the SOCIETY,
GENTLEMEN.

THE Subject, upon which I have now the Honour to address you, comprehends the most important Interests of Humanity. Civil and religious Liberty have been, no less, eminent for the noble Patrons of their Cause, than for those, who have endeavoured to subvert their beneficial Effects. But sensible of my own Inability to do Justice to a Thème so extensive in its Nature, sensible of the Danger which awaits the timid Adventurer, into Tracts seldom frequented by the scarce fledged Genius, I fear, lest with Dædalian Wings, I shall fall the Victim of this premature Attempt. Upon your Candour and Benignity I solely rely. That Benevolence, which directs the wise and good will ever defend, even the waxen Pinion against the penetrating Rays of the Critic.

Many and various are the Incentives to Action in the human Breast. Penury and Oppression must ever call forth the Exertions of the Mind. That Principle also, which unites Man to Man, and forms Communities preservative of those Rights, which are most essential to the Happiness of the human Race, soon designed the beneficent Plan, soon projected the equal Law. For in a State of Nature, where Anarchy wanted with ungoverned Rage, Freedom and Independency were exposed to Insult and Violence. The active Soul, kindling with public Virtue, communicated its searching Flame, refined natural Liberty into civil Society, Uncertainty into the secure Enjoyment of Property, and Danger into an Asylum against all Invasion. Thus from mutual Consent arose the Body politic. In this early State, the rude Senate met beneath the umbrageous Oak, and, there, what Equity required, Justice administered. Few were Offences, few those unworthy Joys which deaden the Sense and devour the aspiring Faculties. The Enforcement of Law demanded but

little Assistance from the Hand of the Magistrate, till Fraud and Rapine violated domestic Peace, and thirsted after kindred Blood. Thus relaxed, the Sinews of Government required a stricter Tension.

The same Motives which induced Man to alienate those precarious Rights which a State of Nature afforded, would also prompt him to secure such as his Entrance into Society had left unimpaired. To effect this, determinate Laws must ascertain the exact Lines which should circumscribe his civil Liberty. That Part of his natural Liberty, which not only Necessity but Justice required, he therefore appropriates to the Safety and Prosperity of Society. What he thus donates becomes the Right of the Legislature; what he reserves constitutes that civil Liberty which cannot be diminished either by the Russian Hand of the self-deputed Tyrant, or by those ambitious Deeds which strike Mankind with Horror. I will here beg Leave to introduce the Sentiments of that great Luminary, whose intellectual Splendor burst forth upon the moral World, already enlightened, "like another Morning on Midnoon." "Though Men, when they enter into Society, give up the Equality, Liberty, and executive Power they had in a State of Nature, into the Hands of Society, to be so far disposed of by the Legislature, as the Good of Society shall require; yet it being only with an Intention, in every one, the better to secure himself, his Liberty and Property (for no rational Creature can be supposed to change his Condition with an Intention to be worse) the Power of Society or Legislature, constituted by them, can never be supposed to extend farther than the common Good." Thus the Extent, as well as the Duration of legislative Power, ultimately terminates in the Will of the People. They are the original Springs of Government, they are the first and only Principles, by which the whole must be regulated. That these Principles may be contemned, that the Laws of a free Establishment may be

despoiled of all their salutary Terrors, that the Violence of some, from their Superiority of Wealth, and the Restlessness of others, from a guilty Poverty, may endanger a State, are the dear bought Lessons of every Age. But the Feelings of a People are the surest Indicatives of their growing Oppressions. To this End, they should ever keep in View their own Importance, the Sight of which once lost, Slavery, like a second Scylla, unarmed, unassayled, tramples under Foot the most valuable Rights of Freedom.

Nor is the Authority of the civil Officer of a more extensive Nature. It is determined by certain established Laws, and not by extemporary Decrees. The Waves might roll regardless of the Command of an infatuated Xerxes, but the Magistrate must obey. "Thus far shalt thou go, and no farther." In another Place it hath been observed by the Author already quoted, that "this Power hath no other End but Preservation; and therefore can never have a Right to destroy, enslave or designedly to impoverish the Subject. The Obligations of the Law of Nature cease not in Society, but in many Cases are drawn closer, and have, by human Laws, known Penalties annexed to them to enforce their Observation." Thus the Law of Nature stands as an external Rule to all Men, Magistrates as well as others. It can require in this Assembly no Apology to deliver the Sentiments of ONE, who not only supported the Cause of Freedom by the Exertions of the most manly Genius, but who gloriously exposed himself to Death in its Defence. "The Laws of every Place shew what the Power of the respective Magistrate is, and by declaring how much is allowed to him, declare what is denied; for he has not that which he has not; and is to be accounted a Magistrate only whilst he exercises that which he has." When that Authority, which ought to be the Fountain of Truth, Justice and Mercy, becomes the Source of Falsehood, Oppression and Cruelty, it is then Time to rouse the strongest Passions of the Soul, to call

into Action every public, every private Virtue. Distress, like Merit, will interest the generous Mind. A People, struggling with their Fate, though the Victims of their own Error, must kindle into Life the Patriot's Fire. How much more than glorious, then, to save the weak, protect the just, dash down presumptuous Vice, depress the wicked, and exalt the good!

The Authority of the People is the best corrective of the Disorders of a State. Tempered by Reason, it gives a proper Controul to Magistracy, both executory and judicial. "True Liberty is twinned with right Reason, she dwells with her, and, from her, hath no dividual Being." Thus influenced, civil Liberty becomes the Parent of every social Blessing, invigorates the Mind, gives it a bold and noble Turn, unrestrained by the most distant Idea of Controul. Hence Greece beheld the Persian Pride exhausted, afflicted, fallen. Hence each Virtue triumphed in her native Air, each Science diffused o'er Life a gladdening Light, "each Art was Nature." Hence the Spartan Valour, rested immoveable as an Isthmus, at the renowned Pass, while the conscious Ocean, covered with Persian Sail, stood motionless. Hence, also, the Sons of Athens displayed, in the Field of Marathon, that Intrepidity, which future Times must yet adore. Hail *Russell*!—England's Boast, O SYDNEY hail! There, blasted with Excess of Tyranny, sunk, indignant, a generous, noble Soul. But though setting, like the Moon, in Blood, he arose to shine with still encreasing Radiance.

Social Institutions require a preventive Operation as well as a Remedial. An unexpected Cloud may render Government languid and ineffective. It is not enough that the executive Power be duly tempered: The least Concession may destroy its Tranquillity. They who are versed in the political Sky, will trace the Storm as it gathers from the very Edge of the Horizon. When such a Provision is wanting, the Substance of

Freedom may be attenuated into Shadow, and the Machine of State converted into a Ladder for the ambitious. By these Means did the Predecessors of our Royal Founder attempt to gain the utmost Bound. To the Annals of his Reign, I need not refer you. A Slave to that Superstition which defecrates Humanity, subject to Passions of the blackest Dye; his only Merit that he degraded by no public Virtue the Race from whence he sprang. The active Eye of Government lay closed. The Voice of Law was heard no more. Vice rioted with Impunity, Perjury received its Sanction from regal Authority, the Perversion, nay the Abolition of Justice triumphed under the Auspices of *Jefferies* and of *James*. Nor stopt the Tyrant here. Religion in Chains, prophetically sad, beheld the impending Blow. But in vain do we trace the Horrors of his Reign. Britain awoke, as from a Dream, waved the Standard of Freedom, "dashed his idle Hopes, and bad his aspiring Heart be low."

"He fled—and with him fled the Shades of Night." While William, emerging out of Darkness, brought on the auspicious Day. His Influence dispelled each Fear, renewed the Laws, emancipated Religion, burst each mental Fetter, and set Reason free.

Hence this truly Royal Establishment of Science and Religion; an Establishment, which claims not only Justice, but the irreversibile Laws of Humanity as its proper Basis. I am well aware that even the Idea of a free Toleration, in Matters of Religion, has been a Source of endless Apprehensions, no less weak than inhuman. Such indeed is the connecting Tie in civil and religious Affairs, that they seem almost inseparably dependent on each other. But should we revert to the original Principles of Society, we shall find that it was constituted only for the Preservation of civil Interests: That the Duty of the Magistrate respects these Things alone: That his Jurisdiction extends only to civil Concerns: And that all civil Power, Right and Dominion is

bounded and confined to the only Care of promoting these Things. As to practical, or speculative Opinions, the judicious Locke has declared that, "if Truth make not her Way into the Understanding by her own Light, she will be but the weaker for any borrowed Force, Violence can add to her."

To draw the exact Lines between Light and Shade, is a Difficulty above the Reach of human Art. It were no less impracticable in this short Compass to discriminate the Boundaries of civil and religious Liberty. We should, however, beware, lest by attempting to promote, we in Fact retard the great Ends of Society. Systematic Imposition enslaves the Mind. Such is the Nature of the Understanding, that Restriction cramps its Progress. Though worn as Armour by the strong, it destroys even their Activity, while upon the weak, it turns into a Load, and cripples the Body it was designed to protect. The theoretical Knowledge of Mankind is susceptible of daily Improvement, of Refinements which not only sublimates Religion, but every Science that glows in the Poet, or shines in the Philosopher. The true Policy of every State will render those Establishments which are requisite as generous and unconfined as the good Order of Society shall permit. In vain it is urged, that the free Exercise of Opinions will have the same pernicious Tendency in religious Societies as in political, since the same Reason which argues the Non-toleration of the one, evinces the Justice of the other. The one is the proper Object of the Magistrate, the other will not admit of his Interference. That the Well-Being of Society has a Retrospect to religious and moral Principles, that Purity of Life may be the ready Means to the Formation of Citizens, Soldiers, or Patriots, will admit of no Doubt. Numerous are the Cases in civil Society, closely united to its principal Welfare, wherein the Interference of the Magistrate would argue the wildest Absurdity. There are Obligations, mediate, and immediate.

Each may be equally productive of the best Effects. But this Difference will ever attend them; the one must derive the Necessity of Practice from the Enforcements of Law; the other from Motives purely social. "In this 'tis God directs; in that 'tis Man." Are not Magnanimity, Generosity, Patriotism, and many other exalted Qualities, more attractive of Love and Esteem, than Faith or Justice? Are they not as essential to the very Being of Society, as any of the municipal Virtues? are they not the Bond, the Energy of human Life? Yet do they appear elevated above the Reach of human Laws, nor know any other Enforcement than the original Perceptions of moral Beauty. But should there be Opinions utterly subversive of all moral Obligation? Let them be founded abroad. A Confutation of them will be the less difficult. The Vegetable which delights in Shade withers at the first Beam of the Sun: The Fuel which is concealed threatens inevitable Ruin. Besides, the Power, which the social Compact confers, extending no farther than to the Advancement of public Utility, the Subject cannot, in Justice, be accountable for any Opinions he may entertain, that do not effect its political Interests. There may be a Profession of Faith purely social, the Tenets of which, it is the Province of the Legislature to determine. These, however, are to be considered, not as Articles of Religion, but, as Sentiments which the good Order of Society requires. To some, this Freedom of Mind, this Liberty of Thought, may seem the ready Avenues to Corruption and Depravity. Human Life, thus unhinged, the universal Fabric appears already dismembering. But such, to an Audience, liberal as the present, I need not proclaim the open Enemies to Truth. They hold the prepared Fetters, and declare their Resolution to enslave. They may, it is certain, when assisted by particular Courts, proper Officers, well-timed Severities, add to these excruciating Inquests, impose any Belief, however absurd. To the eternal Disgrace of

many Countries, the Trial has already been made with Success. For even suppose the Truth to be thus propagated, it must reflect the greatest Ignominy as well upon the Imposer as the Believer: Since, by the same Means, he, who is now the orthodox Christian, might have been the most strenuous Pagan, Jew, or Mahometan.

Should Experience be admitted as of any Weight, Experience will shew, that those Societies have ever enjoyed the greatest Share of Prosperity, where the Magistrate has most strictly confined his Attention to civil Interests. Flanders, once the most flourishing Country in Europe, how was she reduced by the fanatic Attempts of Philip the Second? How was France depopulated? beggared, by the Revocation of the Edict of Nantz? Does not Holland behold her Streets swarming with industrious, wealthy Citizens! Has not Britain, long since in Theory, found this to be the Nerve, Support and Glory of the Land? The Reign of GEORGE the Third will be forever distinguished in the Records of Mankind, as the glorious Æra in which this Truth hath been realized to its utmost Extent. Does not that neighbouring Colony, in whose Domain, the Sons of Britain lately fought the woodland War, peircing deep into Nature's Works, in generous Arts, exalted, aspire to gain the Athenian Laurel? Shameful indeed, must have been the Distance, which this, her elder Sister had maintained, had neither the coy Arts, nor Wit, nor Wisdom here found a Sanctuary. Her filken Race, the mere Vermin of the Spring, must have continued a tasteless, gaily-gilded Train. Their Ignorance, their Poverty must have stimulated each gross Desire. Such their Thirst for Luxury, "that were a Buyer found, they had stood prepared to sell their Birth-right for a cooling Draught."

The Time has been when Men stood amenable not only for their Actions, but their Opinions. Ignorance had dropped the Man, and exalted into Majesty the Mantle. Religion,

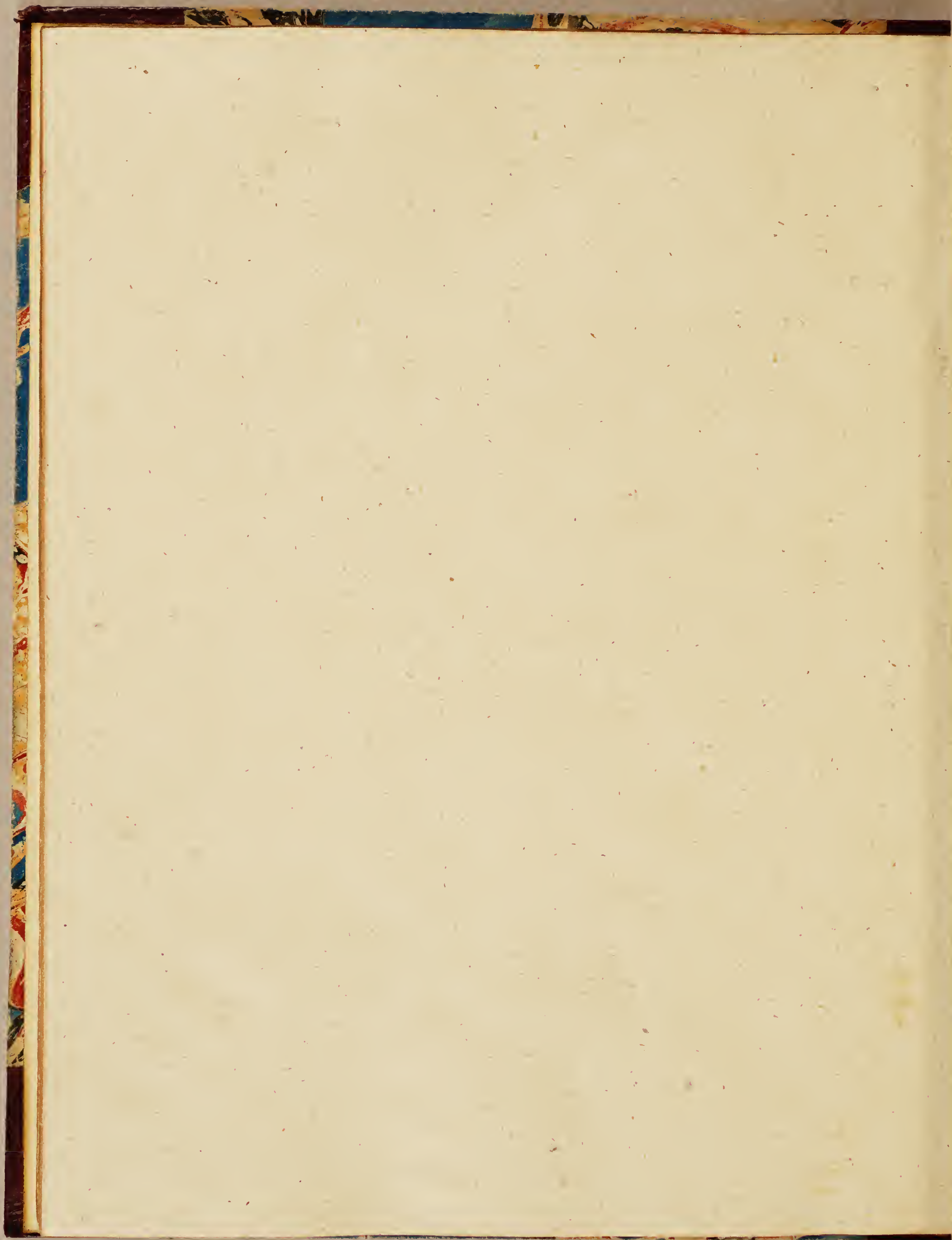
public Order, tottered on their Base, if a Deviation, but in Thought, marked the meanest Slave. Such Sentiments must ever betray a Littleness of Soul, that would degrade even a Scythian, a Tartar or a Turk. Servile Spirits are held in Awe by idle Apprehensions of the Worst. The Good, if that they can discover, they catch at, as the Philosopher the setting Star, which he dreads will never more arise. Such are the Maxims which distress Mankind. This the Soil, in which Persecution has ever stricken the deepest Root. Europe! how deadly a Portion of this Vengeance has thou not often felt! How often heard the threatening Voice, "submit ye Laity, ye prophane! Earth is the Lord's, and therefore ours; let Kings allow the common Claim, and Half be theirs; if not, behold! the sacred Lightning flies." But not even the Pen of Fate, dipt in its deepest Gall, can describe those Miseries which attend on the Want of Liberty; while the Enjoyment of it must prove that Bethesda, whose salubrious Waters contain a Remedy for every Disease. It prompts the philosophic Mind to sound the Depths of Science, of Wisdom, and of Truth. It bids the bold Idea to arise, infuses lovely Forms, polished by the intellectual Touch, the moral Venus shines with double Charms. Thus we are enabled to embrace a more than cloudy Faith. Thus, the Mind will be freed from servile Fear, a Gladness will be diffused through the Heart, inferior with superior be seen connected, and human with divine.

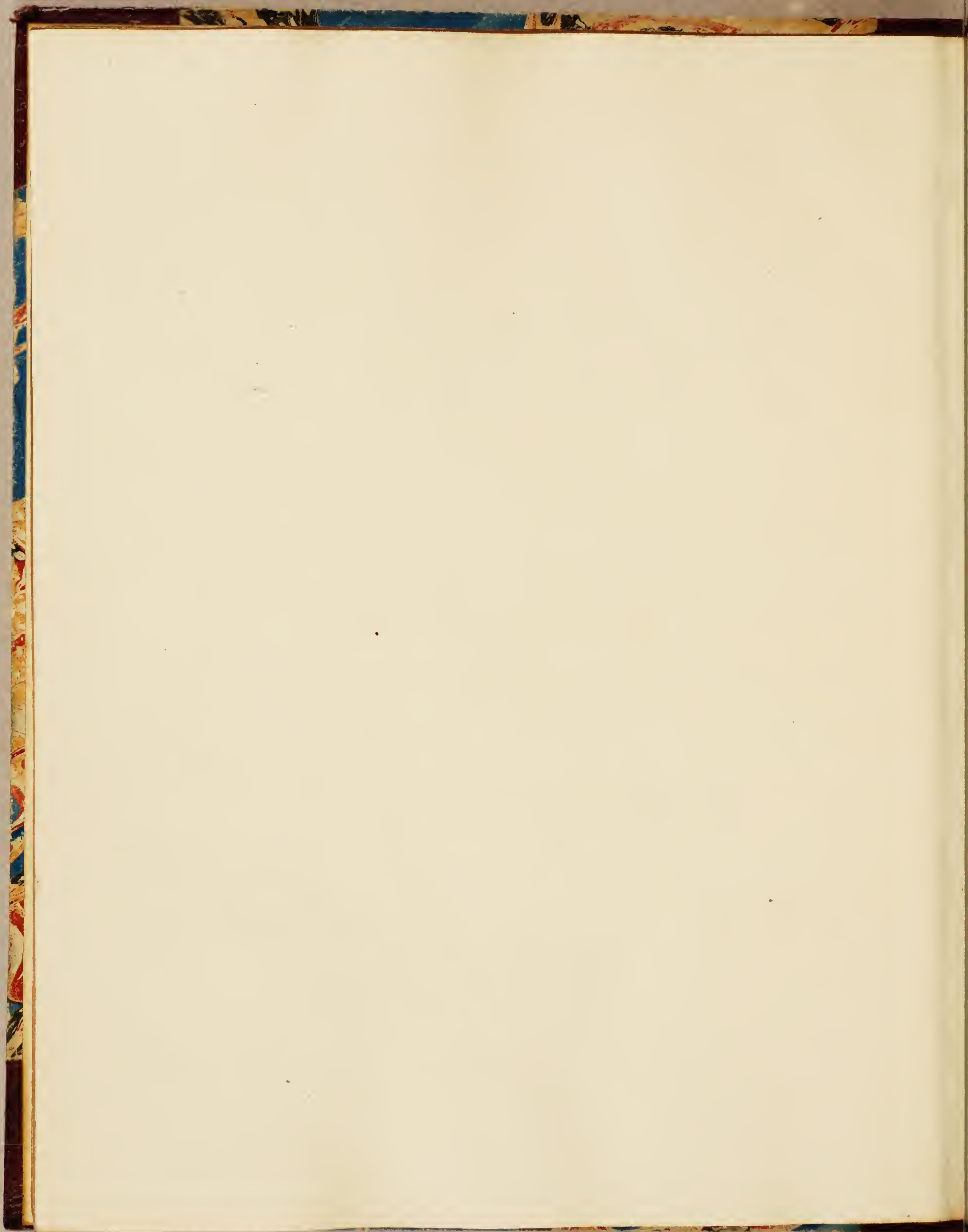
To you, my Fellow Students, would I now more particularly address myself. We were born to be free. Let it be our Concern to become worthy Freemen. Let us remember how much we owe our Friends, our Country, Mankind. Let every generous Feeling of Humanity, every Disposition which irradiates a private Station, illuminate the Public. He who is in a public Capacity, is in a Situation of Power and Energy. It is not less criminal to sleep upon the Watch, than to de-

fert the Station. Life is but a despicable Lodger in that Breast which Honor and public Spirit leave untenanted. In Studies, whether of Philosophy or Art, whether to trace the fair Idea, or to explore the finished Gem among the Ruins of Antiquity, pursue each Object with noble Emulation. Let Reason direct the Process, while the moral Page informs the Heart. Let not the awful Task obscure the Gleam of youthful Hope, that dawns upon your Minds; but, led by the daring Genius of Sages, Heroes, Bards, pierce the deep academic Grove, where Wisdom reigns with Beauty and with Truth. Contemn the servile Sons of Luxury and Pleasure. Crouch not to the Sons of Bigot-Rage; nor pause a Moment to join the godlike Band. Eternal Truth shall thus disclose the Elysian Scenes, shall open a glorious Prospect through the hallowed Shades of distant Worlds.

“ Your free Powers,
 The generous Pow’rs of the prevailing Mind,
 Not for the Task of idly squandered Hours,
 Lewd Brawls and lurking Slanders, were designed.
 Be ye your own Approvers. Honest Praise
 Oft nobly sways
 Ingenuous Youth.

But fought from Cowards and the lying Mouth,
 Praise is Reproach. Eternal God alone
 For Mortals fixeth the sublime Award.
 He, from the faithful Records of his Throne
 Bids the Historian and the Bard
 Dispose of Honours and of Scorn;
 Discern the Patriot from the Slave;
 And write the good, the wise, the brave
 For Lessons to the Multitude unborn.”





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